

[FR Doc. 97-19706 Filed 7-25-97; 8:45 am]

BILLING CODE 4510-23-C

## NUCLEAR REGULATORY COMMISSION

[Docket No.: 040-8767]

### Consideration of Amendment Request for Decommissioning Area 10 of the Lake City Army Ammunition Plant in Independence, Missouri, and an Opportunity for a Hearing

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of consideration of amendment request for decommissioning area 10 of the Lake City Army Ammunition Plant in Independence, Missouri, and an opportunity for a hearing.

The U.S. Nuclear Regulatory Commission is considering issuance of a license amendment to Material License No. SUC-1380 (SUC-1380), issued to the Department of the Army (the Army or the licensee), to authorize decommissioning of Area 10 of its Lake City Army Ammunition Plant (LCAAP) in Independence, Missouri.

The Army built the plant and still operates it for the purpose of manufacturing and testing small caliber conventional munitions for the U.S. Army. LCAAP was founded in 1941 as a Government-owned/contractor-operated facility. From its inception in 1941 until 1985, the plant operating contractor was Remington Arms.

During the 1960s and 1970s, there was a small depleted uranium (DU) operation at LCAAP. Developmental planning of the XM-101 spotting projectile started in 1959, and by 1961 LCAAP was producing the round. The Army designed these XM-101 rounds as "spotters" for small scale, shoulder fired weapons.

The maximum production capability was approximately 8,000 rounds per month although various supply problems resulted in a considerably lower production rate. The XM-101 (later M-101) round consisted of a fused, 20 millimeter (mm) projectile with a body constructed from DU. LCAAP also produced an XM-106 round that was identical to the XM-101, but without the explosive components. The installation designed, tested, manufactured and in later years, demilitarized some 75,000 20 mm DU spotter rounds. These spotter rounds were approximately six inches in length, 20 mm in diameter and weighed

approximately one pound (lb) each. A machined DU body made up 0.45 lbs of the round's weight. The round contained a fused-white phosphorus charge that would detonate on impact with the ground.

By 1968, the program was terminated and LCAAP was left with an estimated 44,000 spotter rounds. In 1971, Remington Arms Company, Inc., the operator of LCAAP at the time, proposed a method for the disposal of approximately 44,000 remaining rounds of XM-101 ammunition. Because the rounds were fused, the safest demilitarization methodology involved shooting the rounds into a sand-filled catch box, identified as the "600-yard bullet catcher." The catch box was filled with sand as an impact material. The impact material was periodically replaced in the catch box. Remington would remove the "old" impact material (i.e., DU contaminated sand) from the 600-yard catch box and place it in an area of the site known as "Area 10." In 1976, an additional 40 rounds of this ammunition were discovered and a temporary permit was obtained to allow disposal in the same manner as the original disposal operation.

NRC is requiring the licensee to remediate the Area 10 of LCAAP to meet NRC's decommissioning criteria and, during the decommissioning activities, to maintain effluents and doses within NRC requirements and as low as reasonably achievable.

Prior to approving the decommissioning plan, NRC will make the necessary findings required by the Atomic Energy Act of 1954, as amended, and NRC's regulations. These findings will be documented in a Safety Evaluation Report and an Environmental Assessment. Approval of the LCAAP Area 10 decommissioning plan will be documented in an amendment to SUC-1380.

NRC hereby provides notice that this is a proceeding on an application for amendment of a license falling within the scope of Subpart L "Informal Hearing Procedures for Adjudication in Materials Licensing Proceedings," of NRC's rules and practice for domestic licensing proceedings in 10 CFR part 2. Pursuant to § 2.1205(a), any person whose interest may be affected by this proceeding may file a request for a hearing in accordance with § 2.1205(c). A request for a hearing must be filed within thirty (30) days of the date of publication of this **Federal Register** notice.

The request for a hearing must be filed with the Office of the Secretary either:

1. By delivery to the Docketing and Services Branch of the Office of the Secretary, U.S. Nuclear Regulatory Commission, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852-2738; or

2. By mail or telegram addressed to the Office of the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Docketing and Services Branch.

In addition to meeting other applicable requirements of 10 CFR Part 2 of the NRC regulations, a request for a hearing filed by a person other than an applicant must describe in detail:

1. The interest of the requester in the proceeding;

2. How that interest may be affected by the results of the proceeding, including the reasons why the requester should be permitted a hearing, with particular reference to the factors set out in § 2.1205(g);

3. The requester's areas of concern about the licensing activity that is the subject matter of the proceeding; and

4. The circumstances establishing that the request for a hearing is timely in accordance with § 2.1205(c).

In accordance with 10 CFR § 2.1205(e), each request for a hearing must also be served, by delivering it personally or by mail, to:

1. The applicant, Department of the Army, Headquarters U.S. Army Industrial Operations Command, Rock Island, Illinois 61299-6000, Attention: Mr. Stephen R. Mapley; and

2. NRC staff, by delivery to the Office of the Secretary, U.S. Nuclear Regulatory Commission, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852-2738, or by mail, addressed to the Office of the Secretary, U. S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Docketing and Services Branch.

For further details with respect to this action, the site decommissioning plan is available for inspection at the NRC's Public Document Room, 2120 L Street NW., Washington, DC 20555-0001.

Dated at Rockville, Maryland, this 21st day of July 1997.

For the Nuclear Regulatory Commission.

**John W. N. Hickey,**

*Chief, Low-Level Waste and Decommissioning Projects Branch, Division of Waste Management, Office of Nuclear Material Safety and Safeguards.*

[FR Doc. 97-19804 Filed 7-25-97; 8:45 am]

BILLING CODE 7590-01-P